



August 8, 2003

Donna M. Lipsmeyer, Human Resource Manager
State of Arkansas
Disability Determination for Social Security Admin.
701 Pulaski St.
Little Rock, AR 722001

Re: Advisory Opinion #483-03-16

Dear Ms. Lipsmeyer:

This letter is in response to your request for an advisory opinion in accordance with §19-11-715(b) of the Arkansas Code Annotated of 1987. Your request for an advisory opinion is based on the following facts:

- (a) Long term DDSSA employees, soon to retire, are requesting an advisory opinion as to whether they may be employed by outside attorneys when they retire.
- (b) These employees currently make determinations regarding eligibility for federal social security benefits.
- (c) None of these employees are involved in any procurement related activities and each understands that "he/she should not represent a claimant whose specific case the employee personally handled while the employee was employed with (your) agency".

Under ACA §19-11-709 the employee, who would work for an attorney, may not act as "a principal agent, or partner" but only to assist the attorney. As you have pointed out in your request, they are prohibited from working, in any way, on any case, in which they have participated while a state employee.

This advisory opinion is issued in accordance with Arkansas Code Annotated §19-11-715(b) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and EO98-04.

Sincerely,

Richard A. Weiss
Director

cc: Joe Giddis
Tom Gay, Office of Atty Gen.